

Message

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Sent: 2/8/2011 3:12:40 PM
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Subject: NEWS UPDATES: GOP, Utilities Fault Science, Policy Basis For EPA Actions On Chromium 6 (Risk Policy Report)

GOP, Utilities Fault Science, Policy Basis For EPA Actions On Chromium 6

Posted: February 7, 2011

Republican senators and drinking water utilities are questioning the scientific and policy justification for recent EPA measures addressing the drinking water contaminant hexavalent chromium (Cr6) and are raising concerns that officials relied on a recent study from environmentalists showing detectable levels of the metal in dozens of cities' tap water.

The Environmental Working Group's (EWG) December report described the results of single tap water tests from some 35 U.S. cities, with 31 indicating detectable levels of Cr6. In the wake of the report, EPA indicated it would likely decide to set first-time stand-alone limits for Cr6, rather than its current approach of regulating total chromium, and also released guidance recommending that utilities test their water for Cr6. Drinking water standards can be used to set groundwater cleanup standards at contaminated sites.

At a Feb. 2 hearing before the Senate environment committee, several GOP senators questioned EPA Administrator Lisa Jackson about the science behind EPA's recent decisions, the EWG report and the extent to which EPA relied on the EWG report when making its decisions.

Sen. James Inhofe (R-OK), ranking member on the Senate Environment & Public Works Committee, criticized EWG's December study in his opening statements at the hearing. "The report is biased, and therefore, the conclusions are skewed to fit a particular viewpoint," he argued.

GOP Sens. John Boozman (AR) and Mike Johanns (NE) also questioned Jackson about the science behind the agency's decision to release the testing guidance, with Boozman asking Jackson what she thought of EWG's methodology -- testing a single sample in each city.

"The EWG study alone we might have dismissed," Jackson replied. "We are in the middle of [a risk assessment] that shows chromium 6 in water causes cancer. If true, it's game changing." Jackson referred to the long-known fact that Cr6 causes cancer when inhaled, but a 2008 National Toxicology Program study first indicated that Cr6 causes cancer when ingested. Jackson added that EPA's risk assessment was underway before the release of EWG's study. She described the study as a snapshot in time, but also consistent with other data.

National Institute of Environmental Health Sciences Director Linda Birnbaum, who also testified before the committee, described the EWG report as "hypothesis-driven." She added that it is a study that raises the question of whether there is a problem, and that it requires replicating.

Johanns requested the "scientific data you rely on to issue the [Cr6] guidance." He told Jackson that "If we are asking [utilities to test] we need to know that there is a sound scientific basis" to doing so.

The lawmakers' questions echo concerns raised by drinking water utilities, whose representatives are faulting the science behind EPA's recent actions on Cr6. "EPA's recent activity related to [Cr6] falls short of the scientific rigor required by the [Safe Drinking Water Act (SDWA)] . . . We respectfully request that future actions on [Cr6] and other contaminants use proven processes and be better informed by sound science," the American Water Works Association (AWWA) said in a Jan. 28 letter to Jackson (*Risk Policy Report*, Feb. 1).

The group said that EPA's recent monitoring guidance does not employ a fully validated analytical method or laboratory performance standards. The group also raised concerns in its letter and testimony before the environment committee that EPA has suggested Cr6 poses health risks, and will likely be regulated, even before the agency completes its long-awaited risk assessment.

The agency released the guidance to monitor for Cr6 as a stand-alone contaminant even though such monitoring is not mandated. The agency currently regulates total chromium, of which Cr6 is a component, but environmentalists are urging the agency to instead regulate Cr6, charging that the presence of Cr3 - a necessary nutrient in small doses - in total chromium masks the toxicity of Cr6.

Any new stand-alone Cr6 standard would likely be stricter than the current standard for total chromium as states like California and New Jersey have found as they moved toward setting stand-alone standards for Cr6. California, for example, recently proposed a drinking water goal of 0.02 ppb. The federal standard for total chromium is 100 ppb.

The agency issued its Cr6 monitoring guidance in the wake of EWG's report, which found that a host of major cities around the country had levels of Cr6 that exceeded California's proposed standard.

While EPA has not yet formally decided that it will issue stand-alone standards for Cr6, the agency has said that it would likely determine that the contaminant poses a sufficient risk that it should be regulated. In her testimony before the committee, Jackson told the senators that "based on the current draft assessment it is likely that we will tighten our drinking water standards for this chemical. But let me be clear, we will also wait for our human health assessment on chrome 6 to be finalized and undergo peer review."

Jackson, however, declined to predict what that standard will be, telling Sen. Jeff Merkley (D-OR) when he asked that it would be "irresponsible" of her to speculate. -- *Maria Hegstad*

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